

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

MAY 10 2002 LF

MARK NEWBY, ET AL.,

Plaintiffs,

V.

ENRON CORPORATION, ET AL.,

Defendants.

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CIVIL ACTION NO. H-01-3624
AND CONSOLIDATED CASES

Michael N. Mulby, Clerk

**MOTION FOR LEAVE TO
APPEAR AND PRACTICE *PRO HAC VICE***

TO THE HONORABLE MELINDA HARMON, UNITED STATES DISTRICT JUDGE:

Ronald E. Cook, attorney-in-charge for Defendant Alliance Capital Management L.P., and Mark A. Kirsch ("Applicant") respectfully request that Mark A. Kirsch be permitted leave to appear and practice *pro hac vice* in the above-captioned case and, in support of the motion, would respectfully show this Honorable Court the following:

1. Applicant is an attorney at law and was admitted to the Bar of the State of New York.
2. Applicant has also been admitted to the Supreme Court of the United States Court of Appeals for the Second Circuit, and the United States District Court for the Eastern District of New York and Southern District of New York, and the United States Tax Court.
3. Applicant's current business address is:

Clifford Chance Rogers & Wells, L.L.P.
200 Park Avenue
New York, New York 10166
4. Applicant represents that he has not been previously convicted of a felony or a misdemeanor involving moral turpitude nor has he been the subject of any disciplinary action by a court of record.

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5. Applicant seeks admission *pro hac vice* solely to represent Alliance Capital Management L.P. in this case.

6. Applicant asks to be admitted to appear and practice *pro hac vice* in this proceeding in accordance with Local Rule 83.1K of the Southern District of Texas.

Respectfully submitted,

By: 

Ronald E. Cook
State Bar No. 04744800
S.D. ID No. 4143
1111 Bagby Street, Suite 2650
Houston, Texas 77002
Telephone: (713) 652-2031
Facsimile: (713) 652-2029

ATTORNEY-IN-CHARGE FOR DEFENDANT,
ALLIANCE CAPITAL MANAGEMENT L.P.

OF COUNSEL:

COOK & ROACH, L.L.P.
ChevronTexaco Heritage Plaza
1111 Bagby, Suite 2650
Houston, Texas 77002
Telephone: (713) 652-2800
Facsimile: (713) 652-2029

CLIFFORD CHANCE ROGERS & WELLS, L.L.P.
James N. Benedict
Mark A. Kirsch
James F. Moyle
200 Park Avenue
New York, New York 10166
Telephone: (212) 878-8000
Facsimile: (212) 878-8375

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the Motion for Leave to Appear and Practice *Pro Hac Vice* has been served on all counsel pursuant to the Court's April 10, 2002 Order on this 10~~th~~ day of May, 2002.

A handwritten signature in black ink, appearing to read "Ronald E. Cook", written over a horizontal line.

Ronald E. Cook

**In re ENRON CORPORATION SECURITIES
LITIGATION**

Defendants.

Civil Action No. H-01-3624
And Consolidated Cases

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4. My current firm affiliation and business address are:

Clifford Chance Rogers & Wells, L.L.P.
200 Park Avenue
New York, New York 10166

5. I have not been previously convicted of a felony or a misdemeanor involving moral turpitude nor have I been the subject of any disciplinary action by a court of record.

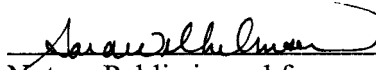
6. The reason I seek admission *pro hac vice* in the above-captioned and numbered cause is that I am the primary contact for Alliance Capital Management L.P.

FURTHER AFFIANT SAYETH NOT.



Mark A. Kirsch

SUBSCRIBED AND SWORN TO BEFORE ME on this 9 day of May, 2002.



Notary Public in and for
The State of New York

Printed Name: Sara Wilhelmsen

My Commission Expires: 1/28/06

SARA WILHELMSSEN
Notary Public, State of New York
No. 01WI6069330
Qualified in New York County
Commission Expires Jan. 28, 2006

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ORDER GRANTING *PRO HAC VICE*

On this ____ day of _____, 2002, came on to be heard the Motion for Leave to Appear and Practice *Pro Hac Vice*, and the Court, having read the Motion, is of the opinion that the Motion should be GRANTED; accordingly, it is

ORDERED that Mark A. Kirsch of Clifford Chance Rogers & Wells, L.L.P., 200 Park Avenue, New York, New York 10166 is admitted to appear and practice in the United States District Court for the Southern District of Texas in this matter, *pro hac vice*.

DATED: _____

Melinda Harmon
United States District Judge